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November 1, 2016

****Sent via email ****

Kimberly Owens
Assistant Regional Counsel
United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Suite 900, ORC-158
Seattle, WA 98101

Chan Pongkhamsing
Wetlands Enforcement Coordinator
United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Suite 900, ETPA-083
Seattle, WA 98101

Re: As-Built Report Transmittal for the Upper Clear Creek Mitigation Site (Consent Decree Number 11-cv-05253-RJB)

Dear Ms. Owens and Mr. Pongkhamsing,

In compliance with Appendix A of Consent Decree Number 11-cv-05253-RJB, the Port of Tacoma (Port) is transmitting the enclosed As-Built Report for the EPA Mitigation Site. In addition, the recorded conservation easement (CE) will be updated with the enclosed as-built legal description and survey.

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tony Warfield'.

Tony Warfield
Senior Environmental Project Manager

cc (email): Mark Rettmann (Port), Dave Myers (Port), Joseph Brogan (Foster Pepper)
cc (hardcopy): Environmental and Natural Resources Division – Environmental Defense Section –
Section Chief (U.S. Dept. of Justice)